IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1892 OF 2005

IN

APPEAL NO. 433 OF 2005

in

SUIT NO. 19 OF 1998

in

PETITION NO. 291 OF 1996

Zarine S. Rao .. Applicant

versus

Avabai Bomanji Wadia & Ors. .. Respondents

AND

Dr.Rusi D. Variava & Ors. .. Opponents

...

Mr.Navnit Shah a/w Mr.Uttam and Mr.Vipul Bilve i/b M/s.Mulla & Mulla for the applicant.

Mr.R.A. Dada a/w Mr.M.P.S. Rao i/b M/s.Little & Co. for the respondents.

CORAM : R.M. LODHA AND

D.G. KARNIK, JJ

DATED : 12th December 2005.

P.C.:

1. The learned counsel for the applicants (respondents) in the appeal prays for withdrawal of this Notice of Motion with liberty to the applicants to pursue the application made in suit no.1614 of 2004 for the reliefs prayed for in the present Notice of Motion and if necessary, make another application for the appropriate reliefs.

2. Notice of Motion is allowed to be withdrawn with liberty as prayed.

(R.M. LODHA, J)

(D.G. KARNIK, J)